

The Honorable Thomas S. Zilly

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MAY 23 2002 MR

AT SEATTLE
EUGENE U.S. DISTRICT COURT
N DISTRICT OF WASHINGTON
DEPUTY

CV 01-01081 #00000032

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

MUIO TRAN, KIM CUC NGUYEN, NHU
HUU TRAN, a minor child, LOAN HUU
TRAN, a minor child,

Plaintiffs,

v.

CITY OF SEATTLE, et al.,

Defendants

No. CO1-1081-Z

DECLARATION OF EUGENE
FOSTER IN SUPPORT OF
SUMMARY JUDGMENT

EUGENE FOSTER declares as follows:

1. I make this declaration on the basis of personal knowledge and am
competent to testify to the matters herein.

2 I am a police officer with the Seattle Police Department and was so on
July 19, 1999.

3 On July 19, 1999, I was working with Michael Griffin when we received
calls for fast back up from Officers Little and Waldorf. We notified dispatch that we were
on our way to their location Prior to arriving to the scene, dispatch informed us that

DECLARATION OF EUGENE FOSTER IN
SUPPORT OF SUMMARY JUDGMENT - 1

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STAFFORD FREY COOPER

Attorneys
2500 RAINIER TOWER
1301 FIFTH AVENUE
SEATTLE, WASHINGTON 98101-2621
Tel. (206) 623-9900

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our assistance was no longer needed. Neither Officer Griffin nor I ever arrived to assist the officers calling for help. Instead, we returned to our regular duties.

4. I was not involved in the incident underlying this complaint in any way. To my knowledge, I have never met Muio Tran, Kim-Cuc Nguyen, Nhu Huu Tran, or Loan Huu Tran, nor have I had any other contact with them, individually or collectively. Other than what I have heard through the grapevine, I know nothing about this case.

I CERTIFY under penalty of perjury under the laws of Washington State that the foregoing is true and correct.

DATED this 14TH day of APRIL, 2002.


Eugene Foster

DECLARATION OF EUGENE FOSTER IN
SUPPORT OF SUMMARY JUDGMENT. 2

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STAFFORD FREY COOPER

ATTORNEYS

2500 MARINE TOWER
1301 FIFTH AVENUE
SEATTLE, WASHINGTON 98101-2621
TEL (206) 623-9900